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TO: Examiner Henry Yuen DATE: Jan 23-2008  
COMPANY: USPTO  
FACSIMILE NO.: 571-273-4856  
FROM: Rich Godlewski NO. OF PAGES 2  
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In Re: 09/449,270 PA-5169-C0N

Attached is copy of requested  
Decision Granting Petition  
to revive application





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*In re Application of*  
HARTLEY ET AL.  
Appl No.: 09/449,270  
Filed: November 24, 1999  
For: PROSTHESIS AND A METHOD AND MEANS OF  
DEPLOYING A PROSTHESIS  
Attorney Docket Number: PA-5169-CON

**DECISION GRANTING**  
**PETITION**  
*37 CFR 1.181*

This is a decision on petitioner's request filed October 7, 2003 to review the holding of abandonment, mailed October 3, 2003. The petition is considered pursuant to 37 CFR 1.181 and no fee is required for this petition.

The petition is granted.

A review of the record indicates that a final rejection was mailed on December 18, 2002. Applicant timely filed a response to the final rejection on March 28, 2003 that included an amendment and a 1-month extension of time. On April 7, 2003, an interview was conducted in which the examiner indicated that the finality of the previous office action was withdrawn. With the finality of the office action of December 18, 2002 withdrawn, the response filed March 28, 2003 was a timely filed response to a non-final rejection. The advisory action mailed August 14, 2003 is in error because the application was no longer under final rejection.

In view of the above, the Advisory Action mailed August 14, 2003 and the Notice of Abandonment mailed October 3, 2003 are hereby vacated. The holding of abandonment is withdrawn. The application will be forwarded to the Technical Support Staff to return the application to an active status and for entry of the amendment. The application will then be forwarded to the examiner for action not inconsistent with this decision.

Richard A. Bertsch  
Richard A. Bertsch, Director  
Technology Center 3700

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*[Handwritten signatures and initials over the stamp]*